

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.11.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice S.TAMILVANAN

W.A. No.2196 of 2001

Manicka Padayachi .. Appellant/Petitioner

-vs-

1.The District Collector,
Perambalur.

2.Thiru D.Ramachandra Padayachi,
Kallampudur,
Hamlet of Paravai Panchayat,
Kunnam Taluk, Perambalur District. .. Respondents/Respondents

Writ Appeal filed under Clause 15 of Letters Patent against the order made in W.P.No.16544 of 2001, dated 20.09.2001 on the file of this Court WP 16544/2001 Petition filed under Article 226 of the constitution of India to issue a writ of Certiorari to call for the records on the file of the 1st respondent in his proceedings No.Na.Ka.A1/4741/2001 dt. 28.8.2001 and quash the same.

For Appellant : Mr.R.S.Singaravelan
For Respondents : Mr.P.Subramanian,G.A., (For R1)
Mr.S.Mani, (For R2)

J U D G M E N T

(Judgment of the Court was delivered by P.SATHASIVAM, J.)

The above writ appeal is directed against the order of the learned single Judge dated 20.09.2001 made in W.P.No.16544 of 2001, in and by which the learned Judge dismissed the writ petition with a liberty to the petitioner to file a revision before the revisional authority against the order dated 28.08.2001 within two weeks from the date of receipt of a copy of that order.

2. Heard the learned counsel for the appellant as well as the learned Government Advocate for the respondents.

3. Though initially the learned counsel for the appellant argued on merits, after advertng to the relevant provisions of the Tamil Nadu Land Encroachment Act, 1905, viz., Section 10-A, he seeks reasonable time to file a revision as directed by the learned single Judge. Inasmuch as knowing fully well the order can be agitated before a revisional authority, without resorting to such process, he straight away filed an appeal and gained five years time, though we are not reluctant, considering the grievance expressed, we dismiss the writ appeal with liberty to the appellant to file a revision before the revisional authority within a period of two weeks from the date of receipt of a copy of this order. It is made clear that after such revision is filed, the revisional authority is directed to dispose of the same in accordance with law, within a period of twelve weeks thereafter. The writ appeal is dismissed on the above terms. No costs.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

gms

To

The District Collector, Perambalur.

+lcc to Mr.S.Mani, Advocate Sr 54771

+lcc to Mr.R.Singaravelan, Advocate SR 54795

JE (CO)
km/14.11.

W.A.No.2196 of 2001

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